

No. 6621-4Lab-75/21293. --In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947 (Act. No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s East India Cotton Mfg. Co. Ltd., Faridabad, (ii), Faridabad Power Loom Owners Association, N.I.T., Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 192 of 1973

between

THE WORKMEN AND THE MANAGEMENT OF M/S EAST INDIA COTTON MFG. CO.  
LTD., FARIDABAD, (ii) FARIDABAD POWER LOOM OWNERS ASSOCIATION, N.I.T.,  
FARIDABAD

Present. —

Shri P. N. Puri and Shri K. L. Sharma, for the workmen.

Shri Jaswant Singh, for the management.

### AWARD

The following dispute between the management of M/s (i) East India Cotton Mfg. Co., Ltd., Faridabad, (ii) Faridabad Power Loom Owners Association N.I.T., Faridabad and their workmen was referred for adjudication to this Tribunal,—vide order No. ID/FD/45329, dated 30th November, 1973, of the Governor of Haryana, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether workers are entitled to the grant of Dearness Allowance at enhanced rate? If so, with what details?

On receipt of the order of reference, usual notice were given to the parties. The workmen filed the statement of claim reiterating their demand for the grant of dearness allowance at enhanced rate, as earlier raised through the demand notice leading to the reference.

The management contested the claim of the workmen on merits as well as on preliminary grounds. It was alleged that no industrial dispute existed between the management and the workmen nor had any dispute been raised or espoused by a substantial number of workmen. It was further urged that the union which filed the statement of claim on behalf of the workmen had no *locus standi* to do so nor had the workmen authorised it to act on their behalf. It was further contended that there were two settlements of 7th May, 1972 between the management and the workmen whereby the latter had undertaken not to raise any demand or dispute involving any financial burden on the management till 31st August, 1975 and for these reasons the reference was bad in law. The management pleaded still another settlement, dated 20th August, 1974 and the award, dated 30th March, 1974 of Shri V. S. Allahabadi, Deputy Commissioner, Gurgaon, which had been published in the *Haryana Government Gazette*, dated 25th June, 1974, which also barred the reference of the present dispute.

On merits it was pleaded that dearness allowance was being paid to the workmen which was linked with what was known as Bhiwani Cost of Living Index and by settlement dated 25th October, 1969, it was agreed that every fluctuation in this index number up to 123 would be adjusted at 30 paise per point and above it @ 50 paise per point and that the dearness allowance was accordingly calculated and paid to the workmen. The management further averred in the written statement that by settlement dated 7th May, 1972 it was agreed that the adjustment of dearness allowance thereafter would be at 80 paise per point and it was so calculated and paid to the workmen. According to still another settlement, dated 26th March, 1973, the rate of adjustment per point index number was enhanced to Re. 1 per point and the workmen received Rs. 4 as dearness allowance. By award, dated 30th March, 1974 of Shri V. S. Allahabadi, Deputy Commissioner, Gurgaon acting as Arbitrator, the management was paying Rs. 11 per month to each of the workmen as *ad hoc* increase and an advance of annual increment of Rs 4 per month from 1st February, 1974 instead of 1st May, 1975.

With the above allegations, the management contended that the demand of the workmen for payment of dearness allowance at enhanced rate devoid of all merit and justification. The workmen concerned have not filed any replication to refute the above allegations of the management in spite of getting a number of adjournments and no reasonable ground is forth-coming for not filing the rejoinder to deny the aforesaid settlement and awards and other pleas taken by the management in the written statement.

In view of the above, the presumption is that the workmen are getting enhanced dearness allowance and *ad hoc* relief in accordance with the settlements and the award pleaded by the management.

and no industrial dispute exist between the parties nor can the same be said to have been properly raised and espoused. The reference of the dispute which is manifestly barred by the settlement, dated 7th May, 1972 stands to be rejected for want of proper espousal also and I make the award accordingly but there would be no order as to costs.

Dated 24th June, 1975.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 1064, dated 24th June, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 24th June, 1975.

O. P. SHARMA,  
Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

The 4th July, 1975

No. 6194-4Lab-75/20520.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Hissar Textile Mills, Hissar.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT, HARYANA,  
ROHTAK

Reference No. 47 of 1971

between

SHRI NIRANJAN DASS AND THE MANAGEMENT OF M/S HISSAR TEXTILE  
MILLS, HISSAR

Present.—

Shri Richhpal Singh, for the workmen.

Shri N.K. Garg, for the management.

#### AWARD

Sarvshri Niranjn Dass and Raj Kishor were in the service of M/s Hissar Textile Mills, Hissar, Shri Niranjn Dass as an Air Condition-cum-Pump Attendant and Shri Raj Kishor as a Clerk. The management allegedly terminated their services without giving any charge-sheet or warning and without assigning any reason. Feeling aggrieved, they demanded reinstatement but without success. This gave rise to industrial disputes. The matter was taken up for conciliation which also ended in failure.

On receipt of the failure report in each case, the disputes were referred for adjudication to this court by the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of section 10 of the Industrial Disputes Act, 1947 and were registered as references Nos. 47 and 48 of 1971, the terms of references being as under :—

(1) Reference No. 47 of 1971,—*vide* order No. ID/HSR/10574-78, dated 13th April, 1971.  
“Whether the termination of services of Shri Niranjn Dass was justified and in order ?  
If not, to what relief is he entitled ?”

(2) Reference No. 48 of 1971,—*vide* order No. ID/HSR/10555-59, dated 13th April, 1971,  
“Whether the termination of services of Raj Kishor was justified and in order ? If not,  
to what relief is he entitled ?”



The parties put in their respective pleadings. The management contested the claim of both the workmen on merits pleading *inter alia* that the references were barred by an existing settlement between the parties and both the workmen had abandoned service without notice which resulted into automatic loss of lien on the jobs held by them. There being common questions of law and fact involved in both the cases, the same were consolidated to avoid duplication of work and the proceedings were recorded in the present reference No. 47 of 1971.

The following issues arose for determination from the pleadings of the parties which are common in both the cases :—

1. Whether the settlement relevant extract Ex. M. 1 was arrived at between the workmen and the management and the present reference is not competent because the applicant did not follow the procedure for settlement of disputes ?
2. Whether the aforesaid settlement has been terminated ?
3. Whether the applicant automatically lost his lien on his service by reason of his continued absence under rule 16 of the Certified Standing Orders ?
4. Whether the applicant was ill and for this reason his services could not be dispensed with ?
5. Whether the settlement mark Ex. M. 1 is illegal ?

The parties have led considerable evidence, oral as well as documentary. The witnesses examined by the workman include W. W. 1 Shri L. Ram, Medical Superintendent, T. B. Hospital, Hissar, W. W. 2 Shri Umrao Singh, Steno-typist office of the Labour Officer, Bhiwani, W. W. 3 Shri Maku Ram, a workman of M/s Mohan Spinning Mills, Rohtak, W. W. 4 Shri Niranjan Dass, workman concerned himself, W. W. 5 Shri Harbans Lal Aryan Medical Practitioner Shahajahan Pur (U.P.), W. W. 6 Shri Raj Kishor the other workman, and W. W. 7 Shri Richhpal Singh, Secretary District Textile Mills Workers Union, Hissar.

The documentary evidence relied upon by the workmen consists of the discharge slip issued by the T. B. Hospital Hissar in respect of Shri Niranjan Dass Ex. W.W. 1/1, demand notice dated 5th March, 1966 given by Shri Baij Nath President of the Union Ex. W.W. 2/1, letter dated 20th March, 1966 written to the Conciliation Officer Ex. W.W. 2/2, letter dated 18th April, 1966 written by the Conciliation Officer to the Labour Commissioner Ex. W.W. 2/3, copy of the proceedings of the Screening Committee held on 17th May, 1967 Ex. W.W. 2/4, copy of the letter dated 6th April 1968 written by Shri Richhpal Singh General Secretary of the Union on behalf of another workman Shri Dilbar Dass Ex. W.W. 2/5, copy of the application dated 25th August, 1970 written by Shri Niranjan Dass to the management complaining that Shri Sengal had refused to allow him work although the T. B. Hospital had advised him rest for one month after being discharged on 11th July, 1970, Ex. W.W. 4/1, the medical slip issued by Dr. Chaudhry Clinic Gobindgarh Shahajahanpur (U.P.) dated 1st May, 1970 in respect of Shri Raj Kishor Ex. W.W. 6/1, A.D. receipt Ex. W.W. 6/2, medical certificate issued by Dr. H. L. Aryan, dated 9th May, 1970 Ex. W.W. 6/3, A.D. receipt Ex. W.W. 6/4, fitness certificate issued by the said Doctor dated 18th May, 1970, Ex. W.W. 6/5, list of reinstated workers Ex. W.W. 6/6, proforma of the leave application Ex. W.W. 6/7, leave application dated 12th April, 1970 of Shri Raj Kishor Ex. W.W. 6/8 another leave application of the same date on the prescribed form Ex. W.W. 6/9, another leave application dated 25th April, 1970 asking leave for one month Ex. W.W. 6/10, still another leave application Ex. W.W. 6/11, statement showing termination of agreement dated 4th April, 1966 and 4th July, 1968 Ex. W.W. 7/1, letter by the Secretary of the Union to the management for the termination of the agreement dated 4th April, 1966 Ex. 7/2, postal receipt Ex. W.W. 7/3, A.D. receipt Ex. W.W. 7/4, report of the Conciliation Officer dated 5th September, 1970 Ex. W.W. 7/5, covering letter Ex. W.W. 7/6, comments filed by the management Ex. W.W. 7/7, proceedings of the Haryana Vidhan Sabha debates Ex. W.W. 7/8 containing the relevant passages Exs. W.W. 7/9 and W.W. 7/11, relevant extract from the letter dated 19th August, 1967 from Shri Richhpal Singh addressed to the Labour Commissioner Ex. W.W. 7/10, extract of the reply from the management on the point Ex. W.W. 7/12, application of Shri Krishan Murari dated 18th November, 1968 for placing his case before the Screening Committee Ex. W.W. 7/13, reply of the management dated 5th December, 1968 that his case will be taken up by the Screening Committee on the date fixed Ex. W.W. 7/14, another letter written by Shri Krishan Murari on 9th December, 1968 Ex. W.W. 7/15, copy of the proceedings of the Screening Committee supplied to Shri Krishan Murari Ex. W.W. 7/16, letter dated 16th January, 1969 written to Shri Krishan Murari by the management in this connection Ex. W.W. 7/17, letter dated 28th March, 1969 by Shri Tek Chand Gupta, Secretary District Textile Workers Union requesting the management to place the demands of certain workmen before the Screening Committee Ex. W.W. 7/18, proceedings of the Screening Committee held on 26th April, 1969 Ex. W.W. 7/19, copy of the letter dated 30th July, 1969 from the management to the Labour Officer, Bhiwaul Ex. W.W. 7/20, letter by the Conciliation Officer dated 29th August, 1969 to the

General Secretary of the District Textile Workers Union Ex. W.W. 7/21, another letter dated 13th December, 1972 written by Shri Tek Chand Gupta, Secretary to the Union to the management Ex. W.W. 7/22 and letter dated 13th December, 1972 written by the Labour Inspector to the management regarding the demand of the workmen for bonus for the year 1971-72 Ex. W.W. 7/23.

On the other hand, the management has examined only on witness Shri J. P. Sangal, Industrial Relations Officer of the Mills who has made a detailed statement regarding the settlement dated 26th April, 1961, 4th April, 1966, 13th April, 1970 and 2nd November, 1970 providing grievance procedure for the settlement of the disputes by the Screening Committee absence from duty of Sarvshri Niranjani Dass and Raj Kishor workmen concern without proper authorisation. The management has further relied upon documents Ex. M. 1 settlement dated 4th April 1966 under section 12(3) of the Industrial Disputes Act, Ex. M.W. 1/1 letter dated 28th January, 1969 received from Shri Richhpal Singh Secretary of the Union, Ex. M.W. 1/2 letter dated 8th April, 1969 written by the management to the Labour Commissioner Exhibit M. W. 1/4 letter containing the list of the office bearers of the Union, Exhibit M. W. 1/5 memorandum of settlement dated 26th April, 1961, Exhibit M.W. 1/6 letter, dated 6th December, 1968 addressed by Shri Tek Chand Gupta, Secretary to the management, Exhibit M. W. 1/7 another letter, dated 1st October, 1968 addressed by him to the management, Exhibit M. W. 1/8 proceedings of the Working Committee of the Union, Exhibit M. W. 1/9 letter by the Labour Inspector to the management, Exhibit M. X form of the certificate of entitlement issued by the E. S. I. C., Exhibit M. 2 letter, dated 7th September, 1973 written by Shri Tek Chand Gupta, Exhibit M. 3 demand notice, dated 20th July, 1972, Exhibit M. 4 demand notice dated 30th March, 1972, Exhibit M. 5 reminder, dated 4th November, 1972, Exhibit M. 6 copy of the judgement of the Senior Sub Judge, Hissar, dated 30th August, 1962, Exhibit M. 7 copy of the judgment, dated 26th October, 1971 of the Sub Judge 1st Class, Hissar, Exhibit M. 8 copy of the letter, dated 13th December, 1972 written by Shri Tek Chand Gupta to the management, Exhibit M. 9 demand notice, dated 14th March, 1966, Exhibit M. 10 another copy of the settlement, dated 4th April, 1966, Exhibit M. 11 letter of Shri Niranjani Dass addressed to the management stating that he had been taken ill till 16th August, 1970, Exhibit M. 12 appointment letter of Shri Raj Kishor, dated 31st May, 1958, Exhibit M. 13 letter of warning, dated 22nd December, 1962 given to Shri Raj Kishor, Exhibit M. 14 another warning, dated 15th June, 1967, Exhibit M. 15 still another warning, dated 5th September, 1967, Exhibit M. 16 to M. 18 extracts from the leave records of Shri Raj Kishor, Exhibit M. 19 letter, dated 28th April, 1970 intimating to Shri Raj Kishor that he had been granted leave up to 3rd May, 1970 and was required to report for duty on 4th May, 1970, Exhibit M. 20, M. 21 extracts of the attendance register of the stall including Shri J. P. Sangal, Exhibit M. 22 extract from the attendance register of Shri Raj Kishor showing him absent from duty from 4th May, 1970 onwards and striking off his name w.e.f. 12th May, 1970, Exhibit M. 23 Certified Standing Orders of the Company, Exhibit M. 24 letter, dated 8th March, 1967 of the General Secretary of the Union addressed to the management, Exhibit M. 25 letter from the Labour Commissioner, Exhibit M. 26 letter, dated 13th July, 1968 from the management to the Labour Officer with Copy to the Labour Commissioner, Exhibit M. 27 reply from the Labour Commissioner to the General Secretary of the Hissar Textile Mazdoor Sangh regarding the amalgamation of the Hissar Textile Mazdoor Ekta Union and the Hissar Textile Mazdoor Sangh, Exhibit M. 28 extract from the despatch register, Exhibit M. 29 copy of the State Gazette containing the award, dated 31st October, 1974 in a dispute between the management and the workers, Exhibit M. 30 resignation, dated 23rd June, 1971, submitted by Shri Dhan Singh Clerk to the management, Exhibit M. 31 resignation of 17th July, 1972 of Shri Ganga Dhar Sharma, Exhibit M. 32 letter addressed to this court that Shri Raj Kishor was doing a business of co-co-cola under the name and style of M/s Kishor Brothers a partnership firm at Dilwar Ganj District Shahjahanpur (U. P.), Exhibit M. 33 affidavit of Shri N. K. Garg Law Officer of the management to the above effect, Exhibit M. 34 application of Shri Niranjani Dass dated 30th July, 1955 for appointment and Exhibit M. 35 extract from the attendance register.

The case has been fully argued on both sides and I have been taken through the entire evidence produced by the parties, oral as well as documentary. I have also given due consideration to the contentions raised by the learned representatives of the parties.

As already observed, the case for both the workmen is that the management had illegally terminated their services without any just or reasonable ground while on behalf of the management it has been pleaded that they had, in fact, abandoned service of their own accord by remaining absent from duty without any proper authorisation which resulted into the automatic loss of lien on the jobs held by them in accordance with the Certified Standing Orders of the management. Both the workmen have tried to refute this contention by leading some evidence that had, in fact, been taken ill and had submitted leave applications to the management Supported with medical certificates and, therefore, their names could not be struck off the rolls.

Another plea taken by the management in both the cases is that the references were barred by virtue of binding settlements between the management and the workmen which specifically provided a grievance procedure for the settlement of such disputes by taking up the matter before the Screening Committee before taking resort to legal proceedings. The workmen have asserted that they were not a party to the said settlements nor were they bound by the provisions of the same as the settlements were in valid.



Now after a close and careful scrutiny of the material on record, I am constrained to observe that the workmen have failed to refute the above contentions of the management. As would be clear from the record, the name of Shri Niranjana Dass was struck off the rolls with effect from 17th August, 1970 and of Shri Raj Kishor with effect from 12th May, 1970. Shri Niranjana Dass had no doubt been taken ill and had been admitted in the T. B. Hospital at Hissar from where he had sent leave applications supported with medical certificates for the period from 5th March, 1970 to 16th April, 1970. Thereafter, he neither applied for leave nor did he submit any medical certificate. He continued to remain absent from duty till 17th August, 1970.

Similarly Shri Raj Kishor had applied for leave from 6th April, 1970 to 9th May, 1970 on account of domestic affairs but the management had sanctioned his leave for three weeks only i.e. till 26th April, 1970. He, however, submitted another application asking for leave from 27th April, 1970 to 26th May, 1970, the reason of the leave applied for being the same i.e. domestic affairs. This leave was refused by the management. He was, however, allowed time to report for duty by 4th May, 1970,—vide letter dated 28th April, 1970 Exhibit M-19. He did not comply with this direction of the management and after waiting for 8 days his name was struck off the rolls. His defence is that he had proceeded to Shahjahan Pur from where he had received information that his brother was missing and there he was confined to bed on account of fever and dysentery and had submitted 2 medical certificates from Dr. Chaudhry Clinic and Dr. H. L. Aryan for the period from 1st May, 1970 to 9th May, 1970 and from 9th May, 1970 to 23rd May, 1970. The management had asked him to produce authenticated medical certificate from the Chief Medical Officer but no reply was sent to this letter by the workman. No one from the clinic of Dr. Chaudhry has been examined, Dr. H. L. Aryan was examined on commission and then in the court also. His evidence does not deserve any credence because he has not produced the relevant records, registers etc., from which it could be ascertained that he had really treated Shri Raj Kishor for the said illness during the period in question.

It will not be out of place to mention here that the plea that he had proceeded to Shahjahan Pur on receipt of information that his brother was missing was not taken in the conciliation proceedings nor had he written to the management about this matter while applying for leave. In the circumstances, this was only an afterthought. It has been strongly urged on behalf of the management that this workman had, in fact, started coca-cola business and to look after that business, he was bent upon asking for leave for a long period which the management could not afford to grant and the same had been refused.

Shri Raj Kishor has stated that he had come to Hissar on 20th May, 1970 and met Shri J. P. Sangal, Industrial Relations Officer of the Mills with a medical certificate and requested him that he should be allowed to join his duty. Shri J. P. Sangal coming into the witness-box as M.W. 1 has emphatically denied this contention of Shri Raj Kishor. He has further deposed that, as a matter of fact he was on leave from 19th May, 1970 to 9th June, 1970 as he had gone to Jubbhal Pur to attend on his ailing mother. His statement finds support in the documentary evidence of the relevant entry from the attendance register. In the circumstances, the question of Shri Raj Kishor having met Shri J. P. Sangal on 20th May, 1970 with any fitness certificate does not arise. It is again an afterthought on the part of the workman concerned and a made up story to explain his unauthorised absence from duty.

It would thus appear that both the workmen concerned had remained absent from duty without proper authorisation for more than 8 days consecutively and had given no reasonable explanation for doing so, within the prescribed period and as such their names stood automatically terminated in accordance with the Certified Standing Order 16 which may usefully be re-produced as under;

"If a workman remains absent beyond the period of leave originally granted or subsequently extended, he shall lose his lien on the appointment unless (i) he returns within 8 days of the expiry of the leave and (ii) gives an explanation to the satisfaction of the authority granting leave of his inability to return to work on the expiry of leave.

However, in the case of a permanent workman, if he returns within 8 days of the expiry of the leave but does not give a satisfactory explanation for his overstay, he will lose his lien on his permanent post but shall be entitled to be kept on the list of 'Badli' workers, provided his previous record is satisfactory."

The management had thus done nothing to terminate the services of the workmen concerned in both the cases which automatically stood terminated due to their own conduct of remaining absent from duty without any leave or proper authority. In the circumstances, they were deemed to have left the service of the management of their own accord and without notice which subsequently resulted into the loss of lien on the jobs held by them in accordance with the Certified Standing Orders of the management by which they were governed. The question of the termination of their services by the management or its justification, in the circumstances of the case discussed above does not arise. The law is well settled on the point and there is abundant authority to support of above proposition which need not be referred to as this proposition of law is not contested by the authorised representative of the workmen also.

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The other plea of the management as to the present references being barred by virtue of binding settlements between the management and the workmen is also not without force and has been fully substantiated by over-whelming evidence. There are 3 settlements on record dated 26th April, 1961, 4th April, 1966 and 2nd November, 1970, which specifically provide that before taking recourse to legal proceedings by raising regular disputes, as contemplated under the Industrial Disputes Act, 1947, all such disputes should first be placed before the Screening Committee. The grievance procedure provided in all these settlements was admittedly not resorted to by the present workmen.

Much stress has been laid by the learned representative of the workmen that their union was not a party to the said settlements nor were they given any opportunity to take up their disputes before the Screening Committee. My attention has been drawn to the applications of 2 other workmen, namely, Krishan Murari and Dilbar Dass whose cases were not properly considered by the Screening Committee. I have been further referred to a star question raised before the Haryana Vidhan Sabha in this respect in response to which the management is alleged to have replied that the cases of only those workers or unions who were party to the settlements could be taken up by the Screening Committee. These matters are of no help to the present workmen for the simple and obvious reason that they had taken no step whatever to put up their cases before the Screening Committee by taking resort to the grievance procedure specifically provided in the aforesaid settlements brought about between the management and the workmen in conciliation proceedings under section 12(3) of the Industrial Disputes Act, 1947 and that being so, the reference of the disputes for adjudication to this court was premature and without jurisdiction. My above view finds full support in the judgment of our own High Court in the case of the Atlas Cycle Industries, Sonapat and their workmen reported as 1973-1-LLJ-182. Nothing to the contrary has been shown by the learned representative of the workmen nor has he succeeded in proving how the said settlements were invalid and not binding upon the present workman. The settlements having been effected in conciliation proceedings under section 12(3) of the Industrial Disputes Act, 1947 were binding on all the workmen in the Mills and the workmen concerned in the present references could not escape from the consequences of the non-compliance of the relevant provisions of these settlements which were still in force and had not been terminated by either party in the prescribed manner.

That disposes of the entire case of both the workmen who for the reasons aforesaid have not been able to make out any well-founded claim for interfering with the action of the management in striking their name off the rolls. The issues involved are, therefore, decided against the

workmen and in favour of the management holding that in the first instance, no industrial dispute existed between the parties which could validly be referred for adjudication to this court and in view of the fact that the workmen had themselves abandoned service by remaining absent from duty and had lost the lien on the jobs held by them by their own conduct in accordance with the Certified Standing Orders of the Company by which they were governed. Then, they had not taken the necessary steps for the settlement of the disputes, if any, by taking resort to the grievance procedure provided in the settlements under section 12(3) between the management and the workmen which were of binding nature on both the parties.

In view of my above findings on the issues involved S/Shri Niranjan Dass and Raj Kishor workmen concerned are not entitled to any relief by way of reinstatement or payment of any back dues and the award in each reference is made accordingly. There would, however, be no order as to costs.

Dated 11th June, 1975.

O. P. SHARMA,

Presiding Officer,

Labour Court, Haryana,  
Rohtak.

No. 1502, dated the 16th June, 1975

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,

Labour Court, Haryana,  
Rohtak.

M. SETH,

Commissioner and Secretary to Government, Haryana,  
Labour and Employment Departments.

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